

MINUTES OF MEETING
RUSH RIVER WATER RESOURCE DISTRICT
CASS COUNTY HIGHWAY DEPARTMENT
WEST FARGO, NORTH DAKOTA
NOVEMBER 17, 2015

The Rush River Water Resource District met on November 17, 2015, at 9:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Raymond Wolfer, Chairman; William A. Hejl, Manager; Richard Sundberg, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Brenda Lovgren, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Mike Opat, Engineer for the Board; and Brady Woodard, Moore Engineering, Inc.

Minutes

It was moved by Manager Hejl, seconded by Manager Sundberg and unanimously carried to approve the minutes of the October 20, 2015, meeting.

Drain No. 2 Improvement Project No. 2015-01

Mike Opat reviewed the progress of Drain No. 2 Improvement Project No. 2015-01. The project will be closed out in the spring once the grass is established.

Drain No. 2 Improvement Project No. 2015-02

Brady Woodard updated the Board regarding Drain No. 2 Improvement Project No. 2015-02. Sections 13 and 14 of Harmony Township have been cleaned out. The results of the survey show the grade of the channel bottom to be at the same grade as when the channel was constructed.

Erie Dam – stop log structure and valve stem replacement

Manager Wolfer met with Michael Johnson from the North Dakota Game and Fish Department (NDGF) regarding the stop log structure and valve stem replacement at Erie Dam. An agreement is currently in place that stipulates the NDGF and Rush River Water Resource District jointly share operation and maintenance costs. Manager Hejl would like to see the Cass County Park Board participate in operation and maintenance costs, especially those costs associated with water quality and fishery issues, along with NDGF, and that the Rush River Water Resource District only be obligated to contribute towards costs associated with flood control issues.

Mr. Opat reviewed the maintenance needed at the dam. He estimated the cost to replace the valve on the control structure to be approximately \$4-5,000, plus the cost of dewatering. The option of hiring a certified diver to inspect the pipe intake system was discussed. The cost to replace the pipe intake system structure, if necessary, would be approximately \$5-10,000. The NDGF indicated they would agree to share in the \$1,000 cost to hire a diver. Mr. Woodard will contact Michael Johnson to coordinate a diver for the inspection. A request for cost-share will also be submitted to the State Water Commission for the project.

The Board directed Sean Fredricks and Mike Opat to contact the Cass County Park Board to request a meeting to discuss possible negotiation of a new Brewer Lake / Erie Dam operation and maintenance agreement with the NDGF, Cass County Park Board, and potentially, the State Water Commission.

Metro Flood Diversion Project – Right of Entry Agreement on Object ID #549, #8878, #9184, #9185, #9186, #9187, #9188, #9189, #9190, #9791 and #9792

It was moved by Manager Hejl and seconded by Manager Sundberg to approve the *Right of Entry Agreement* on Object ID #549, #8878, #9184, #9185, #9186, #9187, #9188, #9189, #9190, #9791 and #9792 regarding the Metro Flood Diversion Project. Upon roll call vote, the motion carried unanimously.

Utility Permit for NuStar Pipeline Operating Partnership L.P. to install an 8” petroleum products pipeline under the Rush River in Section 15 of Raymond Township

It was moved by Manager Hejl and seconded by Manager Sundberg to approve the *Utility Permit* for NuStar Pipeline Operating Partnership L.P. to install an 8” petroleum products pipeline under the Rush River in Section 15 of Raymond Township, subject to conditions provided by the Water Resource District Engineer. Upon roll call vote, the motion carried unanimously.

Bills

It was moved by Manager Hejl and seconded by Manager Sundberg to approve payment of Checks #4103 through #4111 and the electronic funds transfer, as presented. Upon roll call vote, the following Managers voted in favor: Wolfer, Hejl and Sundberg. The Chairman declared the motion passed.

Rush River Watershed Planning Team

Mr. Opat discussed upcoming meetings for the Rush River Watershed Planning Team.

Adjournment

There being no further business for the Board to consider, it was moved by Manager Sundberg, seconded by Manager Hejl and unanimously carried to adjourn the meeting.

APPROVED:

Raymond Wolfer
Chairman

ATTEST:

Carol Harbeke Lewis
Secretary-Treasurer